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U.S. DISTRICT COURT, E.D.N.Y.

★ JAN 23 2008 ★

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORKIN RE:  
HOLOCAUST VICTIM ASSETS  
LITIGATION

This Document Relates to: All Cases

Case No. CV 96-4849 (ERK)(MDG)  
(Consolidated with CV 96-5161  
and CV 97-461)*Amended***PROPOSED MEMORANDUM &  
ORDER**

BROOKLYN OFFICE

KORMAN, Judge:

I am in receipt of the December 18, 2007 Report and Recommendations of the Conference on Jewish Material Claims Against Germany, Inc. for the Thirty First Group of Slave Labor Class I Claims in In re Holocaust Victim Assets Litigation (Swiss Banks) ("Thirty First Claims Conference Report"). The Thirty First Claims Conference Report advises that in accordance with the Plan of Allocation and Distribution of Settlement Proceeds ("Distribution Plan"), my Memorandum & Order dated June 28, 2001, and my Memorandum & Order dated September 25, 2002, the Claims Conference is prepared to transfer payments to an additional 8 Holocaust survivors who are members of Slave Labor Class I, and to heirs of Holocaust survivors who are members of Slave Labor Class I in 15 cases, 9 of which cases pertain to survivors previously approved by the Court for payment but were deceased prior to receiving the proceeds and for which payments their heirs have now been approved.

I am advised that all of the 8 Holocaust survivors described in the Thirty First Claims Conference Report were approved by the Claims Conference Central and Eastern European Fund or Additional Labor Distribution Amount ("ALDA") compensation program, which eligibility

criteria are the same as for the Program for Slave and Forced Laborers under the German Foundation and who would otherwise have been eligible under the German Foundation but applied between the December 31, 2001 deadline of the German Foundation and May 28, 2004. Further, I have been apprised of the reasons given by the 5 Holocaust survivors approved under ALDA for the late submission of their applications and these reasons comport with the standard of excusable neglect. Therefore, these 5 Holocaust survivors are eligible for compensation under Slave Labor Class I.

Additionally, I am advised that the heirs to 15 survivors were approved either by the German Foundation or the Claims Conference ALDA program.

Finally, I am advised that with respect to all of the 14 newly submitted claims related to Holocaust survivors and described in the Thirty First Claims Conference Report, the survivors have established that they are Jewish, and/or were, or were thought to have been, Jewish at the time of persecution, thereby meeting the definition of being victims or targets of Nazi persecution, and satisfying the eligibility requirement for compensation under Slave Labor Class I.

I am pleased to note that inclusive of those referred to in this Order, 173,909 Jewish members of Slave Labor Class I and their heirs have been awarded a total of \$252,162,200.

I have also been informed that sufficient funds to make these payments are in the Claims Conference designated program accounts for Slave labor Class I.

Accordingly, in anticipation of the forthcoming distribution of \$1,450 to each of the newly approved 8 Holocaust survivors and claims from 15 heirs who comprise this Thirty First group of recipients under Slave Labor Class I, it is hereby

ORDERED that the Claims Conference transfer funds to the 8 Holocaust survivors and heirs of the 15 deceased Holocaust survivors eligible for Slave Labor Class I as described in the Thirty First Claims Conference Report.

I will issue additional orders awarding further sums from the Settlement Fund as applications from other class members are approved.

Brooklyn, New York  
December 26, 2007

SO ORDERED:

s/Edward R. Korman

Edward R. Korman  
United States District Judge